



FOGNANI & FAUGHT, PLLC

Attorneys at Law

September 11, 2006

VIA FACSIMILE AND E-MAIL

Mark C. Elmer, Esq.
US Department of Justice
Environment and Natural Resource Division
Denver Field Office
999 18th Street, Suite 945, North Tower
Denver, CO 80202-2449

Re: United States v. United Park City Mines Co., et al.
No. 2:06 CV 00745 PGC (Richardson Flat Tailings Site)
DOJ File No. 90-11-3-08764

Dear Mark:

On behalf of Falconbridge Limited and Noranda Mining Inc., this letter is written to notify you that \$60,000 has been deposited into an escrow account bearing interest on commercially reasonable terms in Fifth Third Bank, a federally chartered bank, pursuant to Paragraph 4 of the Consent Decree in the above-referenced matter.

I recognize that the Complaint and Consent Decree with regard to Falconbridge and Noranda have been lodged with the Court. Please let us know when they have been entered by the Court.

Thank you for your assistance in resolving this matter. Of course, if you have any questions, comments or concerns, please do not hesitate to contact me.

Very truly yours,



John D. Fognani
of FOGNANI & FAUGHT, PLLC

JDF/so

cc: Mr. Jeffrey A. Snow
Mr. Stephen K. Young
Mr. Dave Hart

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